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RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2565-0198P

PATENT
2565-0198P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Tadashi YAMAURA Conf.: 3186
Appl. No.: 09/530,719 Group: 2654
Filed: May 4, 2000 Examiner: A.K. AZAD
For: A METHOD FOR SPEECH CODING, METHOD FOR
SPEECH DECODING AND THEIR APPARATUSES

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 18, 2005

Siri:

Applicants hereby appeal to the Board of Appeals from the Office Action dated September 20, 2004 of the Primary Examiner twice rejecting claims 19-22.

This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant submits that in response to the final Office Action of September 20, 2004, a Reply was filed on November 22, 2004 (Monday) and, thus, within the shortened statutory period of two (2) months from the mailing date of that Office Action. Therefore, the due date for responding to the final Office Action is set to expire on the mailing date of the Advisory Action in response to the aforementioned Reply. Because processing delays at the PTO prevented an Advisory Action from being mailed yet, it is submitted that the due date for responding to the final Office Action has not yet expired. Accordingly, no extensions of time are believed to be necessary.

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$500.00

Small Entity - \$250.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$500.00.

Payment of the above TOTAL FEE is being made in the following manner:

Check in the amount of 500.00 is enclosed.

Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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for D. Richard Anderson, #40,439

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